

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

NO. 5:20-CV-212-FL

BPP INDEPENDENCE  
FAYETTEVILLE, LLC, and BPP  
INDEPENDENCE PRINCE GEORGE,  
LLC,

Plaintiffs,

v.

INDEPENDENCE PLACE WEST  
FAYETTEVILLE, LLC, and  
INDEPENDENCE PLACE JEFFERSON  
PARK, LLC,

Defendants.

ORDER

This matter came today for hearing before the court on the parties' joint motion for disbursement of funds held by the clerk of court, delivered to that office by Fidelity National Title Insurance Company. (DE 59). Reference is made to the court's order entered May 27, 2020.

Joint motion is GRANTED, and the clerk of court is DIRECTED to disburse said funds totaling \$1,005,513.70 to defendants as follows:

- 1) Independence Place West Fayetteville, LLC, the sum of \$502,756.85, by U.S. Mail delivered to:

Independence Place West Fayetteville, LLC  
Attn: Cecil M. Phillips, Manager  
945 East Paces Ferry Road, NE, Suite 2650  
Atlanta, Georgia 30326

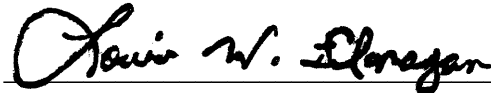
- 2) Independence Place Jefferson Park, LLC, the sum of \$502,756.85, by U.S.

Mail delivered to:

Independence Place Jefferson Park, LLC  
Attn: Cecil M. Phillips, Manager  
945 East Paces Ferry Road, NE, Suite 2650  
Atlanta, Georgia 30326

At hearing, the parties confirmed said amounts to be disbursed by the clerk to defendants, totaling the sum of \$1,005,513.70, are received and accepted in full and final resolution of all disputed issues in the litigation. Each side shall bear its own costs. The clerk is DIRECTED to amend judgment entered May 31, 2022 in accordance with this order and then to close this case when that money is paid.

SO ORDERED, this the 7th day of July, 2022.

A handwritten signature in black ink, reading "Louise W. Flanagan", written over a horizontal line.

LOUISE W. FLANAGAN  
United States District Judge